## Two Controverted

# WILLS

OF

## Sir WILLIAM ROBINSON,

Late of the County of Surrey, Knt. Deceas'd.



LONDON:

the Year 1716.

Testaments of Eminent Persons is become Customary, I the Two following Wills are made Publick, the Nature of the Procedure therein being altogether new and unpresidented, viz.

The First of the said Wills was dated and perfected almost bur Years before the latter; which said first Will was in many Places so Raz'd, Interlin'd, Obliterated, and so confusedly Jumbled in the Testator's Life-time, that 'tis impossible to make Sense hereof, as on View of the following Attested Fac Simile Copy, but more especially by the Joint Depositions of Luke King, and Original, when Viewed, will be evident. Which Tho. Putland. hid first Will also was finally, on the Testator's perfecting the latter, utterly Cancell'd, by tearing off the Seal of the Testator, by the Testator's immediate Order, and in his own Presence, and the last Leaf almost torn through.

For establishing of which said Cancell'd Will, however, by good Management, a Sentence was obtained Anno 1713, to make void the Latter, notwithstanding the Latter was, without any Artifice used, duly perfected in the Presence of three honest, and able Neighbouring House-keepers, utterly unknown to the two Executors therein named, till on this Occasion, but casually called in to Attest the same, which they did, and

accordingly duly proved the same in Doctors-

Depositions of the said Witnesses, and

Commons; one of which Witnesses, viz. John L. K. and T. P. First, as Last Will, proved so Curious, that meerly of his own Accord, he told the Testator at the Instant of perfecting the Last Will, that he had Witnessed his former Will, and freely ask'd the Testator if he did now by this Last Will Revoke and make Void the former; to which the Testator answer'd Tes, and thanked the Witnesses for their Trouble, and order'd them a Bottle of Wine.

That the Last Will, dated the 13th of October 1712, being duly proved in Common Form, man Debts and Funeral Charges were according cleared and paid off by the two Executors, viz Luke King, and Thomas Putland, therein named, before the said Will was Litigated

That the Testator having a considerable Estate in Ireland, as well as in England, the said Wills were also Litigated in Ireland, where, notwithstanding strenuous Opposition and Endeavours used to the contrary, a Sentence was pronounced by the Judge of the Prerogative Court at Dublin, confirming the said Last Will of the 13th of October, 1712.

That the said Putland, to shew his Gratitude to the Testator, to whom he most probably owes three Fourths of his great Fortune, has, for some By-ends, in his Bill exhibited Anno 1715, against the said King, in several Paragraphs, most unjustly vilify'd and aspers'd the Testator (in Terminis) with the Ignominy of being a Bastard.

That notwithstanding the said Putland had joined with the said King in proving and executing the said Last Will of the 13th of October 1712, till after the Litigation, and confirmed on their joint Oaths, all (and abundantly more than) what is here Remark'd; the said Putland has nevertheless since joined in the Execution of the first Cancell'd Will of the 15th of January, 170%. However, the said King neither yet has acted, nor is willing hereafter to act under the said first Cancell'd Will, having sworn to Execute under the Last Will of the 13th of Oct. 1712.

N. B. It was the declar'd Opinion of several Eminent Lawyers and Civilians openly at the Hearing, that on establishing such a Cancell'd Will, and annulling and setting aside the said Last Will so duly obtain'd, perfected and proved, and which has an ample Clause of Revocation, and annulling of all former Wills before the Testator's perfecting the same, and the Witnesses attesting thereof, they could not conceive how any Man hereafter could so form a Will, but that it might thereafter be made void. Which may stagger Persons of all Ranks whatsoever in Cases of so solemn a Nature.

### E Registro Curiæ Prerogativæ Cant. Extract.

#### Noie. Dni. Amen.

Sir William Robinson, of the Parish of St. Martin in the Fields, Com. Middlesex, Knt. being Sick and weak in Body, but of sound and perfect Memory, make this my Last will and Testament in manner and form following, viz.

Imprimis, I commit my Soul to the Almighty Creator, in hope of a joyful Resurrection in and through the alone Merit and Mediation of our blessed Saviour and Redeemer Jesus Christ.

Item, I leave my Body to be buried at the Discretion and Expence of my Executors hereafter nam'd; and for what Estate it has pleas'd God to bless me with (my just Debts and Funeral Charges being first paid) I dispose as follows, viz.

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+ I give and bequeath for the building an Alms-House on the Common of Walton upon Thames, in the County of Surrey, the Sum of Four hundred Pounds - - - - 1.400

Item, When the said House is built, which is to be according to the Model hereto annex'd, and with all convenient thereof for the Allowance Dispatch for the Support and Maintenance, A viz. A of a Master, at Twenty Pounds per Ann. and to A Mrs. twelve Pounds per Ann. with convenient Apartments in the said House for each of them, the Master being A instruct twenty poor Boys, born in the Parish of said Walton, in Reading, Writing, Arithmetick, and in the Principles and Doctrine of the Church

of England; and the Mistress likewise to instruct twenty Girls, born in the said Parish, in Reading, Writing, Sew and working of Plain-Work, and also in the Princi and Doctrine aforesaid: Which Boys and Girls, besides to said Learning (which they are to have free from any manner Charge to them or their Parents) also to have twenty Shilling

a piece A to buy necessary and warm Cloathing for them, A a to have the Benefit of the said School, till they arrive the Age of Fourteen Years, of which Boys and Girls, sin of each Sex to have Five Pounds a piece paid for their being put forth to any proper Trade; which like Number of Te Boys and Girls are to be put forth on like Terms each thir Boys and Girls

Year after the first Ten A are so dispos'd of: For the supporting and maintaining of which said Charge of a Master, Mistress, and Twenty Boys and Twenty Girls, Fire and Candles, and necessary Repairs of the said Alms-House, I de Two thousand Pounds,

Will, Bequeath and Devise the Sum of A One hundred and Twenty Pounds, to be laid out in the Purchase of Parliamentary Annuities granted for 99 Years, to support the said Charge during that Term, granted by the Parliament as aforesaid.

Item, I Will and Bequeath to Martha Norton (Sister of my late Wise) and to her Daughters Elizabeth and Martha, and to her Sons William and Roger Five hundred Pounds a piece, making for the Mother and Four Children as aforesaid, the Sum of Two thousand five hundred Pounds in the whole; and if it shall happen that any of the said Five Persons should happen to depart this Life before this my Will take Effect, It is my Will, that the said 2500 l. shall go equally amongst the then Survivors Share and Share alike.

Item, I leave to William Holmes (Son of John and Rebecca Holmes of Wicklow in the Kingdom of Ireland) the Sum of Payable in Ireland, One hundred Pounds Ireland, to put him forth to such Trade as he shall be most capable of.

Item, I leave and bequeath to Mr. John Rotton, of the City of Dublin in Ireland, Attorney at Law, the Sum of payable in Ireland—

One hundred Pounds Irish—

1. 100 for a Ring.

Item, I leave and bequeath to Joseph Love of Dublin aforeaid, Gent. the like Sum of One hundred Pounds Irish. - 1. 100

Item, I leave and bequeath to

Annesley (my Godson) Son of Francis Annesley of the Inner Temple, Esq;
the like Sum of One hundred Pounds - - - l. 100

Item, leave and bequeath to Cha. Shales of LumbardStreet, London, Goldsmith, all my Right, Title, and Interest
in the Mines of Coomb Martin in Devenshire; and likewise
near Elist in Elistshire. My Interest in both which Minesia.
Deven and Elist aforesaid, I Estimate at the Sum of Six hundred Pounds.

Item, I leave and bequeath to Edward Pauncefort, of St. James's Parish Westminster, Middlesex, Esq; the Sum of One hundred Pounds. - - - l. 100 for a Ring.

Item, I leave and bequeath to my Godson Cha. Dering, Son of Cha. Dering of Dullin, Ireland, the Sum of Two hundred and fifty. Pounds, Inish together with my Library of Books.

Item, I leave and bequeath the Sum of One hundred Pounds, for the Use of the Charity School in the Parish of St. Martin in the Fields aforesaid, to be paid to the Overseers of the said School towards the Support of the same.

Item, In a grateful Sense of many Favours received from the Right Honourable Richard Earl of Ranelagh, and his constant good Inclinations towards me, I leave and bequeath the Sum of One Thousand Pounds, to buy his Lordship a Ring; and in case his Lordship should happen to dye before this my Will take Effect, It is my Will that the said Thousand Pounds shall be paid to his Lordship's beloved A Daughter, the Lady Catherine Jones.

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Item,

Item, Since I am utterly ignorant of a Person or Persons lated to me either nearly or remote, It is my Will and Desire the if any such Pretenders should be, they duly make their Relative to me manifest and apparent within the Space of one Year fromy Decease, that then there be paid by my Executors the Sur of sive Pounds to the Person that makes him a self appear to be my nighest Relation, and twenty Shillings a to any five more that shall make out in like manner their Relation to me my said Executors taking their respective Acquittances in sull of all Demands whatsoever.

Item, I give and bequeath to Mrs. Hunter, of the said Parish of St. Martin in the Fields, Embroiderer, the Sum of the said Pounds - 201. for a Ring

Item, Pgiverand bequeath to James Clarke of Whitehall
Esq; the Sum of One hundred Pounds. 100h for a Ring

Item, I give and bequeath to Foll. Sherigley of Dublin, Esq; the Sum of One hundred Pounds, payable in Ireland. 50 real. for a Ring.

Item, I give and bequeath to Cha. Wilson of Sherwel. Parke,

Gent.

Co. Catherlogh, Ireland, & the Sum of One-hundred Pounds,

payable in Ireland.

Item, I give and bequeath to Mrs. Mary Hoyle (Sister of Capt. John Hoyle) if alive in Ireland, the Sum of One hundred Pounds, payable in Ireland, - - - - 100%.

Item, I give and bequeath to Cecilia Nicholson, my old Servant in Dublin, for her own Use Twenty Pounds, payable in Ireland; and also to be paid by her for the Use of a young in Dublin, whom she attended in her, when an Infant. Mistress of hers, call'd Mrs. Ann (if alive) the Sum of two hundred Pounds, payable also in Ireland, making together two hundred and twenty Pounds. - 1. 220 Item,

Item, I give and bequeath to Hen. Robinson, Door-keeper of the Treasury Dublin, the Sum of twenty Pounds; and also to his Son Hen. Robinson twenty Pounds, both which payable in Ireland; together forty Pounds. - - - 1.40

Item, I give and bequeath to Tho. Wilson, Clerk in the said Treasury Dublin, the Sum of twenty Pounds, payable in Ireland.

Item, I give and bequeath to my Sister-in-law, Mrs. Mar-garet Tooke, the Sum of one hundred Pounds. - - 1. 100

Item, I give and bequeath to the Lady Meli Hely One hunyoungest as my Godson 100 1.
dred and fifty Pounds, and to each of her five Sons fifty Pounds,
her and Son
making togs four hundred Pounds.

+ Item, I give and bequeath to Tho. Jett, Esq. of Westminster, Esq; Audr. of the Revenue the Sum of thirty Pounds.

Item, I give to William Soley of Westminster, Gent. said Jett's Clerk, the Sum of twenty Pounds. - 1. 20 for a Ring.

Royal Erected for Maintenance of Item, I give and bequeath to the great A Hospital for old sool to be expended as follows Soldiers nigh Dublin, the Sum of Five hundred Pounds, of King Charles the Second, payable in Ireland, being to raise a Statue there A and on the Pedestal to engrave the of 16. when the Foundation was laid and to mention the Doner's Name who built the same. 31. for a 'Sermon on that Day to preach against Rebellion, and or any other ornamental Wse about the said Hospital - - 300 l.

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and 250 l. to be laid out in an Annuity forever to be distributed a amongst fuch of the Officers and Soldiers as are maintained in the Hospital that are true old Communicants according to the Church of England as Establish'd before the Revolution

Item, I give and bequeath to Mrs. Elizabeth Hawksworth

Commonwealth Principles, against Occasional Conformity
and Revolution Principles, and if that is not

of Dublin, Widow, the Sum of Twenty Pounds, payable in Ireland.

fuch Lawyers that will sue for the same except Whitchet, Cawlfeild and Kneve.

Item, I give A to Edward Miller of Dublin, Carpenter, my old Servant, the Sum of Twenty Pounds, payable in Ireland.

Item, I give and bequeath to Mr. Serjeant Heighmore Fifty Pounds.

- l. 50 for a Ring.

Item, I give and bequeath to my old Servant Richard Cullen the sook Debt he owes to me be it what it will, and if alive at the Time when this Will operates, 51.

of Dublin the Sum of Twenty pounds, payable in Ireland, besides a Forgiveness of all that he owes me. - 1. 5

Item, I give and bequeath a John Jackson of Dublin, Gent. one of the Surveyors of the Barracks, the Sum of Thirty Pounds, payable in Ireland.

Item, I give and bequeath to Mr. Peter Goodwin of the A Hospital near Dublin, the Sum of Two five Pounds, for a Ring.

payable in Ireland,

- - - l.

Item, I give and bequeath to my several Domestick Servants hereafter nam'd, as follows, viz.

+ To Elizabeth Cedar Fifty Pounds. - l. 190

To Richard Manns One hundred Pounds, and all my wearing Apparel. - l. 100

To Elizabeth Russel, the House-Maid, Ten Pounds. 1.70

To Mrs. Eliz. Tottershall Two hundred and fifty Pounds,

1.250 to buy her
an Annuity

To John the Coathman a Years Wages. - 1.20 Item,

Item, I give and bequeath to these three Persons hereaster mamed, whom I make my sole Executors, viz. Fra. Annessey of the Temple, Esq; Luke King of the Parish of St. Marim in the Fields, Gent. and Thomas Putland, (late of Dublin) now of London, Merchant, the Sum of Five hundred Pounds each (besides Mourning) making together the Sum of Fisteen hundred Pounds.

Lastly, For the rest of my Estate real and personal, I leave entirely to the Management and Discretion of my said Executors, in order to the erecting and endowing some publick Edifice for the Advancement of Learning, and other good Works, as they shall from time to time see sit, and particularly such as turning a Hall of the University of Oxford into a College Lectures of Arts and Sciences

Further, notwithstanding the last above Article, I Will and Bequeath to a Son of James Medlycott, Esq; to whom I was

Godfather, the Sum of One hundred Pounds; and also to each of

Esq; his Brother the Sum of Estey Pounds, each making together for Rings his two other Sons the Sum of fifty Pounds; being to these two latter Sons together A One hundred Pounds; making together And in all

hundred Pounds. - - l. 200

And now all I have at present to add is, That tho' what is said in this Page above, and in the Nine preceding Pages, tho' is not express so exactly as intend (if God Almighty spare me Time) and wrote but roughly and uncorrectly, yet as it now stands, I hereby publish and declare the said Pages D contain

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## [14]

Publish and Declare it this Fisteenth Day of January, 170

W. ROBINSON.

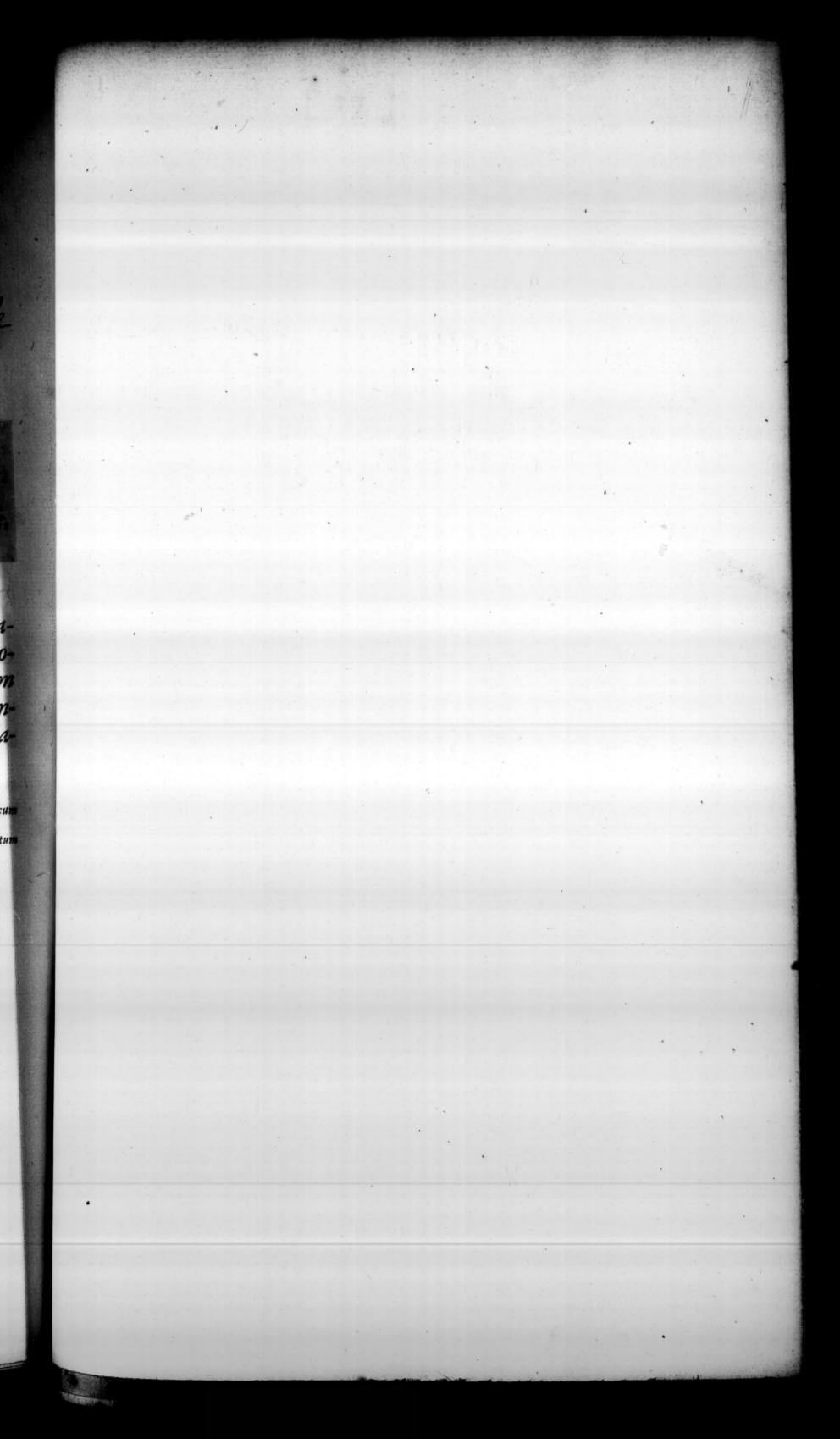
Signed, Sealed, Published, and Declared, in our Presence, by the fore-named Sir William Robinson, Knt. That this, and the Nine preceding Pages, are his Last Will and Testament, and as such we witness it in his Presence,

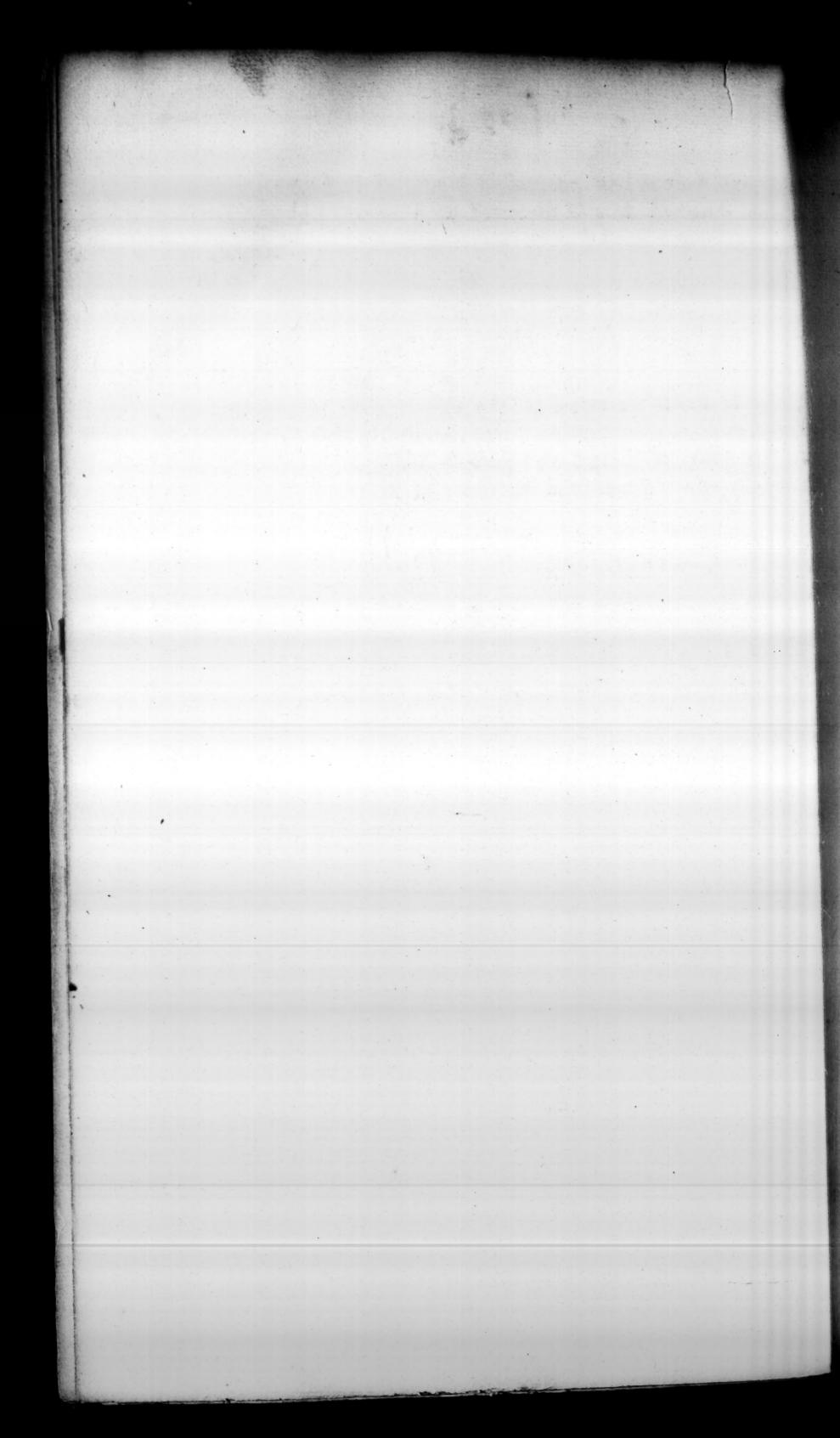
James Hardy - - a Mason opposite Burlington-Hous Samuel Manson, John Young.

Concordat cum Originali Testamento dicti Dni Guilielmi Rolinson defuncti penes Registrum Curia Prarogativa Cantuariensis remanente facta sideli Collacone per me,

Deal- formed

Tho. Welham, Norium Pubeun dicta Curia Regeji Deptum





#### Noie Dni. Amen.

Sir William Robinson of the Parish of St. Martin in the Fields, Co' Middlesex, Knt. being sick and weak in Body, but of sound and perfect Memory, make this my last Will and Testament in Manner and Form sollowing, viz.

Imprimis, I commit my Soul to the Almighty Creator, in hope of a joyful Resurrection in and thro' the alone Merit and Mediation of our Blessed Saviour and Redeemer Jesus Christ.

Item, I leave my Body to be bury'd at the Discretion of my Executors hereafter named. And for what Estate it has pleas'd sood to bless me with (my just Debts and Funeral Charges being sirst paid) I dispose as follows, viz. I leave and bequeath for the Use of the poor Boys and Girls of the Charity-School of St. Martins in the Fields, Westminster, the Sum of One lundred Pounds.

Item, I leave for the building a Monument in the Parish Church of St. Martin aforesaid for me and my late Wife the sum of One hundred Pounds. - - l. 100

Item, I leave and bequeath to the Royal Hospital of Dulling the Sum of Two hundred and fifty Pounds, for the Uses soluting, viz. the Sum 3 l. Pounds for a Loyal Sermon to be here preached Annually on the Day on which the Foundation-tone was laid by his late Grace James Duke of Ormond; On the same Day, to Ten decay'd Officers, each One Shilling; and to Four hundred private decay'd Soldiers, each Six-pence, amounting in the whole to the Sum of Thirteen pounds ten shillings per Annum.

Item, I leave also to Cha. Dering, jun. the Son of Auditor Cha. Dering, the Sum of One hundred and fifty Pounds to buy Books.

1. 150

To William Holmes, Son of John Holmes, late of Wick-low in Ireland, the Sum of Fifty Pounds in Irish Money. l. 50

To James Hely, Son of the late Lord Chief Justice Hely, in like Irish Money, the Sum of Twenty five Pounds. 1.25

To Isaac, Son of late Mr. Peter Isaac of the Quire in Dublin, of like Irish Money, the Sum of Twenty five Pounds.

To Robinson Augier, Son of Mr. Paul Augier of Dublin, of like Irish Money, the Sum of Fifty Pounds. - 1.50

To Annesley, Son of Fra. Annesley of the Inner Temple, Esq; the Sum of Twenty five Pounds. - l. 25

To John Shales, Son of Cha. Shales of Lombard-Street, Goldsmith, the Sum of Thirty Pounds. - 1.30

Item, I give and bequeath to Mrs. Martha Norton, Widow, Sister to my late Wife, the Sum of Five hundred Pounds.

To Elizabeth Norton and Martha Norton, Daughters of aforesaid Widow Martha Norton, each the Sum of Five hundred Pounds, together - - l. 1000

To Roger Norton, Son of the said Widow Norton, the Sum of two hundred and fifty Pounds. - 1. 250

To Mrs. Margaret Tooke, Widow of the late Capt Tooke, the Sum of thirty Pounds.

To Auditor Cha. Dering the Sum of twenty five Pounds, Irish Money.

Pounds, Irish Money 1.25
Tho. Putland, jun. of Dublin, Merchant, Twenty Pounds, Irish Money l. 25
To Tho. Wilson, Clerk in the Treasury Dublin, ten Pounds Money l. 10
To Henry Robinson, Senior, late Door-keeper there, ten funds, Irish Money l. 10
To Hen. Robinson Junior, his Son, ten Pounds, Irish Money.
To Cacilia Nicholson of Dublin, formerly my Servant, Pounds, Irish Money l. 10
To Cocker, Daughter of Capt. Edward Cocker, leceas'd, twenty Pounds, Irish Money l. 20
To Mrs. Mary Hoyle, Sister of Capt. John Hoyle, sisty Pounds, Irish Money.
To Richard Cullen, formerly my Servant, five Pounds, lish Money, and forgive him all that he owes me l. 5
To Mrs. Merial Putland, Wife of Mr. Tho. Putland, twenty Pounds l. 20
To Martha and Hester their Daughters each twenty Pounds.
To my Servant Tabitha Tottersell four hundred Pounds.
To my Servant Richard Manns One hundred Pounds.
To my Coachman Samuel Nevill, ten Pounds l. 10

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## To my Servant Hugh Heny ten pounds

To two Maid-servants living in my House at the time of Death, each the Sum of five Pounds.

Requiring my Executors to give to each of my said Serva such Mourning as they shall see proper.

To James Cedar (a Black) thirty pounds, to support has the Executors think sit; or if when out of his Time, and give him thirty Pounds in his Pocket.

To Mrs. Sarah Wrenn (Married to one Bonsey) if alive at my Death, the Sum of fifty pounds.

Item, I leave and bequeath to Mrs. Elizabeth Hawksworth, Widow of Araham Hawksworth late of Dublin, Carpenter, the Sum of twenty five Pounds, Irish Money. - l. 25

To Dr. Bryan Robinson of Dublin (besides forgiving a Debt he owes me of ten pounds) the surther Sum of ten pounds, Irish Money.

- l. 10

I leave and bequeath to Luke King of St. Martins Parish in the Fields, Westminster, Gent. and to Tho. Putland Senior late of Dullin, now of the said St. Martin's Parish, Merchant, whom I make, nominate, and appoint Executors of this my Last Will and Testament, to each of them the Sum of sive hundred pounds (and Mourning) making together for them the Sum of One thousand pounds. - l. 1000

Item, Since I am utterly ignorant of any Person or Persons related to me either nearly or remote, It is my Will, It is my Will and Desire that if any such Pretenders should be, they duly make their Relation to me manifest and apparent within the Space of one Year from my Decease, that then there be paid by my said Executors the Sum of sive pounds to the Person that makes him or herself appear to be my nighest Relation; and twenty Shillings a piece to any five more that shall make out in like manner their Relation to me, my said Executors taking their Acquittances in full of all Demands whatsoever.

Item, I do hereby appoint and fully impower my said Executors to sell and dispose of all my Real Estate, both Freehold and Copyhold to the best Advantage as may be, in order to the clearing and paying off all the foregoing Legacies and Bequests, and discharging my just Debts and Funeral Charges, and providing for such further pious and charitable Uses as I may at any time hereafter direct.

Lastly, and all I shall at present further add, is, That tho' what is said and express'd in this and the two preceding Pages is not express'd so exactly as I intend (if God Almighty spare me Time) and wrote but roughly and incorrectly, yet as it now stands, I hereby publish and declare this to contain my Last Will and Testament, and as such, Sign, Seal, Publish and Declare it this Thirteenth Day of October, One thousand seven hundred and twelve.

W. ROBINSON.

Sign'd, Seal'd, Publish'd and Declar'd in our Presence by forenamed Sir William Robinson, Knt. that this and the three preceding Pages are his Last Will and Testament, and as such we Witness it in his Presence, Sir William Robinson also declaring at this Instant before us, that he hereby revokes and makes void all other and former Wills and Testaments by him at any time formerly made.

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Eustace Tomlin, Richard Bird, John Young.

Tenore presentium Nos Thomas providentia divina Cant Archiepus totius Anglia Primas ac Metroponas, &c. Quod 29. Octobris 1712, &c. Probatum fuit Test um Prahondi viti D'ni Willielmi Robinson Paro'a Sti Martini in Campis in Com' Midd'xia Militis De'sti, &c. Luca King & Thoma Putland Executoribus, &c. Dat die mensis Anno Dn'i & loco pred' & Nr'a Translationis Anno Decimo Octavo.

Tho. Welham, Reg'rij. Dep'tus

Sub' Sigill' Cur' Prerog' Cant'

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